

From: Ricker, Monique T. EOP/USTR Monique_T_Ricker@ustr.eop.gov 
Subject: RE: FOIA Request (MULTI-19-0211-0236)
Date: February 14, 2019 at 12:27 PM
To: American Oversight FOIA foia@americanoversight.org
Cc: FN-USTR-FOIA FN-USTR-FOIA@ustr.eop.gov



Hi Clay,

Typically the Office of the US Trade Representative (USTR) does not open FOIA requests as attachments, but I did today because we are familiar with you. For your information, the request is not pasted below. We assigned your request for communications between any USTR political appointee and any employee or representative of Ballard Partners since January 20, 2017 tracking number FY19-52. Please cite this number in any future communications with our office regarding your request.

USTR is able to offer a partial response today. In response to a similar FOIA request, we conducted an eDiscovery search of all USTR political appointees and career employees for email exchanged with the domain ending in @ballardfl.com or @ballardpartners.com from January 20, 2017 to March 19, 2018. Attached please find 70 pages of responsive records, which we released in part. We redacted non-USG, non-public contact information because we reasonably foresaw that disclosure would harm an interest protected by FOIA Exemption 6, which protects personal information the release of which would not shed light on the performance of the agency's statutory duties.

We will initiate a new search beginning March 20, 2018 and provide you with a determination on or before March 14, 2019.

Thank you,
Monique

Monique T. Ricker
FOIA Program Manager/Attorney

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON DC 20508

From: American Oversight FOIA <foia@americanoversight.org>
Sent: Thursday, February 14, 2019 11:09 AM
To: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>; FN-USTR-FOIA <FN-USTR-FOIA@ustr.eop.gov>
Subject: [EXTERNAL] FOIA Request (MULTI-19-0211-0236)

Dear FOIA Officers:

Please find attached and pasted below a request for records under the Freedom of Information Act.

Sincerely,

Clay M. Goode
Paralegal
American Oversight
foia@americanoversight.org
www.americanoversight.org | @weareoversight

FOIA: MULTI-19-0211-0236



USTR_FY19-52_
Ballard...18.pdf

RE: Greetings

From:

"Griffin, Payne P. EOP/USTR" (b) (6)
[REDACTED]

To:

Sylvester Lukis <syl@ballardfl.com>

Cc:

"Gray, Alexander B. EOP/WHO" (b) (6) @who.eop.gov>, Brian Ballard <ballard@ballardfl.com>

Date:

Mon, 05 Jun 2017 17:11:25 -0400

Thank you Syl. I have copied the Ambassador's scheduler, Abby Bacak.

G. Payne Griffin

Deputy Chief of Staff

The Office of the United States Trade Representative

Executive Office of the President

Garrison.P.Griffin@USTR.eop.gov

(O) 202-395-5869 | (C) (b) (6)

From: Sylvester Lukis [mailto:syl@ballardfl.com]

Sent: Monday, June 5, 2017 4:17 PM

To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>

Cc: Gray, Alexander B. EOP/WHO (b) (6) @who.eop.gov>; Brian Ballard <ballard@ballardfl.com>

Subject: Greetings

Garrison,

Alex Gray referred me to you. I hope you are doing well. Our firm, Ballard Partners, is a Florida based firm with offices in DC. We represent the Mosaic Company, which is a multinational mining company in the agriculture nutrient business, such as phosphates, with significant holdings in Florida. Joc O'Reilly, the company's CEO and his colleague, Walt Precourt, a Senior Vice President for phosphate production, will be in DC the morning of June 21. They have a meeting scheduled with Alex and Peter Navarro that morning at 11:00 a.m. and we're hoping to get on Ambassador Lighthizer's calendar as well the morning of June 21. There are some International Trade issues they would like to discuss regarding Moroccan phosphate production but the meeting primarily would be a meet and greet and shouldn't take more than a half hour.

Thank you in advance for your assistance. I look forward to hearing from you.

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

Managing Partner

Washington, DC

Ballard Partners

M: (b) (6)

syl@ballardfl.com

DC Office

601 Thirteenth St, NW, Suite #200 N

Washington, DC 20005

P: 202.800.5620

F: 202.800.5623

Miami Office

2 Alhambra Plaza Suite 102

Coral Gables, FL 33134

P: 305.456.8479

F: 786.542.6997

Re: Greetings

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>

Date:

Tue, 06 Jun 2017 16:52:17 -0400

Thanks Abby.

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

Managing Partner
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Sent: Tuesday, June 6, 2017 4:48 PM

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Sent from my iPhone

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Thank you,

Abby

Abigail Bacak

Director of Scheduling and Advance

The Office of the United States Trade Representative

Executive Office of the President

Abigail.R.Bacak@ustr.eop.gov

(O) 202-395-9503 |(C) (b) (6)

-----Original Message-----

From: Griffin, Payne P. EOP/USTR

Sent: Tuesday, June 6, 2017 7:51 AM

To: Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov>

Subject: FW: Greetings

From: Sylvester Lukis [<mailto:syl@ballardfl.com>]

Sent: Tuesday, June 6, 2017 6:30 AM

To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>

Cc: Gray, Alexander B. EOP/WHO <(b) (6)@who.eop.gov>; Brian Ballard
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G. Payne Griffin

Deputy Chief of Staff

The Office of the United States Trade Representative

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Garrison.P.Griffin@USTR.eop.gov <<mailto:Garrison.P.Griffin@USTR.eop.gov>>

(O) 202-395-5869 (C) (b) (6)

From: Sylvester Lukis [<mailto:syl@ballardfl.com>]

Sent: Monday, June 5, 2017 4:17 PM

To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
<<mailto:Garrison.P.Griffin@ustr.eop.gov>> >

Cc: Gray, Alexander B. EOP/WHO <(b) (6)@who.eop.gov>
<[mailto:\(b\) \(6\)@who.eop.gov](mailto:(b) (6)@who.eop.gov)> >; Brian Ballard <ballard@ballardfl.com>
<<mailto:ballard@ballardfl.com>> >

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Syl Lukis

Managing Partner

Washington, DC <x-apple-data-detectors://0/0>

Ballard Partners

M: (b) (6)

svl@ballardfl.com <<mailto:svl@ballardfl.com>>

DC Office

601 Thirteenth St, NW, Suite #200 N <x-apple-data-detectors://1/1>

Washington <x-apple-data-detectors://1/1> , DC 20005

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F: 202.800.5623 <<tel:202.800.5623>>

Miami Office

2 Alhambra Plaza Suite 102 <x-apple-data-detectors://2/1>

Coral Gables, FL 33134 <x-apple-data-detectors://2/1>

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Cc:

"Gray, Alexander B. EOP/WHO" <(b) (6)@who.eop.gov>, Brian Ballard <ballard@ballardfl.com>

Date:

Tue, 06 Jun 2017 06:29:46 -0400

Thanks Payne. Before or after our 11am with Alex and Peter would be ideal. Syl

Sent from my iPhone

On Jun 5, 2017, at 5:11 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Thank you Syl. I have copied the Ambassador's scheduler, Abby Bacak.

G. Payne Griffin

Deputy Chief of Staff

The Office of the United States Trade Representative

Executive Office of the President

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F: 786.542.6997

Re: Greetings

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>

Date:

Wed, 07 Jun 2017 16:06:48 -0400

Any luck?

Sent from my iPhone

> On Jun 6, 2017, at 4:50 PM, Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov> wrote:

>

> My COS is on travel with the boss but I will check and get back to you ASAP .

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>> Mr. Lukis--

>>

>> The Ambassador is unable to meet on 6/21.

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>> Thank you,

>> Abby

>>

>>

>> Abigail Bacak

>> Director of Scheduling and Advance

>> The Office of the United States Trade Representative

>> Executive Office of the President

>> Abigail.R.Bacak@ustr.eop.gov

>> (O) 202-395-9503 |(C) (b) (6)

>>

>>

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>>

>> -----Original Message-----

>> From: Griffin, Payne P. EOP/USTR

>> Sent: Tuesday, June 6, 2017 7:51 AM

>> To: Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov>

>> Subject: FW: Greetings

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>> G. Payne Griffin
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>> Deputy Chief of Staff
>>
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>> Sent: Monday, June 5, 2017 4:17 PM
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>> Cc: Gray, Alexander B. EOP/WHO <(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >; Brian
Ballard <ballard@ballardfl.com <mailto:ballard@ballardfl.com> >
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>>
>> Syl Lukis
>>
>>
>>
>> Managing Partner
>>
>> Washington, DC <x-apple-data-detectors://0/0>
>>

>> Ballard Partners
>>
>> M: (b) (6)
>>
>> syl@ballardfl.com <mailto:syl@ballardfl.com>
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>>
>> DC Office
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>> 601 Thirteenth St, NW, Suite #200 N <x-apple-data-detectors://1/1>
>> Washington <x-apple-data-detectors://1/1> , DC 20005
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Cc:

"Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>

Date:

Mon, 12 Jun 2017 14:34:11 -0400

Abby,

I'm following up on whether Mr. Vaughn is available to meet with the gentlemen from The Mosaic Company, CEO Joc O'Rourke and Senior VP Walt Precourt the morning of June 21. If he is unavailable, would Payne be available? We would appreciate greatly any time Stephen or Payne can provide. The company is important to Florida and Governor Scott and Joc and Walt would like to discuss some important trade issues it is experiencing.

Thanks again for all your help.

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

Managing Partner
Washington, DC
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syl@ballardfl.com

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Washington, DC <x-apple-data-detectors://0/0>

Ballard Partners

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Washington <x-apple-data-detectors://1/1> , DC 20005

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Miami Office

2 Alhambra Plaza Suite 102 <x-apple-data-detectors://2/1>

Coral Gables, FL 33134 <x-apple-data-detectors://2/1>

P: 305.456.8479 <<tel:305.456.8479>>

F: 786.542.6997 <<tel:786.542.6997>>

Meeting Request

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>

Cc:

Harold Patricoff <hpatricoff@shutts.com>, Brian Ballard <ballard@ballardfl.com>, "Gray, Alexander B. EOP/WHO" (b) (6) @who.eop.gov

Date:

Wed, 05 Jul 2017 16:52:35 -0400

Hi Abby,

Alex Gray asked that I contact you directly regarding a desire to meet with Ambassador Lighthizer. John Campion is the Chairman and CEO of APR Energy, a company based in Jacksonville, FL that is in the emergency power business around the world. I believe that Governor Rick Scott of Florida discussed APR's issues in Australia regarding the wrongful expropriation of the company's assets and monies based on a specious law there that allows creditors to seize leased property of bankrupt companies regardless of the clear terms of the American supplier's lease agreement prohibiting any such seizure.

Mr. Campion and his employees are suffering significant financial and other economic harm because of the Australian law and would appreciate greatly an opportunity to meet personally with Ambassador Lighthizer at his earliest convenience to discuss the situation. He has exhausted all of his legal and administrative remedies in Australia to no avail, including a recent negative decision by the Supreme Court there. That decision now allows the creditor of the bankrupt company that leased the power equipment to begin drawing down on a \$44 million bond APR posted to have the Court hear the matter.

Thank you for your consideration and assistance on this matter.

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

Managing Partner
Washington, DC
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M: (b) (6)
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Re: Follow up

From:

Sylvester Lukis <syl@ballardfl.com>

To:

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Cc:

"Gray, Alexander B. EOP/WHO" <(b) (6)@who.eop.gov>

Date:

Fri, 14 Jul 2017 09:31:35 -0400

Thanks Abby.

Sent from my iPhone

> On Jul 14, 2017, at 7:01 AM, Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov> wrote:

>

> It is on my list for today's schedule meeting

>

> Sent from my iPhone

>

>> On Jul 14, 2017, at 8:58 AM, Sylvester Lukis <>[https://linkprotect.cudasvc.com/url?](https://linkprotect.cudasvc.com/url?a=https://syl@ballardfl.com&c=E,1,8fv_Fsg4Id_Hj818dmxQOqNB4UBNV0V4z3a7KwzMl8Rdv2CGwuCP3Tdj2H5p23qxDTRv5TfUPaksFqOD_HydLuc6pe3qte6DaroKdzs,&typo=1)

a=https://syl@ballardfl.com&c=E,1,8fv_Fsg4Id_Hj818dmxQOqNB4UBNV0V4z3a7KwzMl8Rdv2CGwuCP3Tdj2H5p23qxDTRv5TfUPaksFqOD_HydLuc6pe3qte6DaroKdzs,&typo=1 wrote:

>>

>> Hi Abby, do you have a status of my request for a meeting with Ambassador Lighthizer for John Campion, Chairman and CEO of APR Energy, Inc. ? Please call me at (b) (6) Thank you, Syl Lukis

>>

>> Sent from my iPhone

Any news?

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>

Cc:

"Gray, Alexander B. EOP/WHO" <(b) (6)@who.eop.gov>

Date:

Mon, 17 Jul 2017 12:50:04 -0400

Hi Abby, Mr. Campion of APR Energy is anxious to meet with Ambassador Lighthizer. Please pass on that his company is suffering greatly from the barriers to trade imposed by Australia on American investors such as Campion. He needs and deserves an audience. Thanks, Syl

Sent from my iPhone

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>

Date:

Wed, 19 Jul 2017 14:37:50 -0400

Abby, I spoke to Mr. Campion today who told me to let you know that he appreciates your efforts to schedule a meeting with Ambassador Lighthizer. He understands the difficulty in doing so, however, and now requests whether the meeting can be scheduled sometime after August 23. He will be on travel until then on business. Let me know. Thanks, Syl

Sent from my iPhone

Can you please call me on my cell re APR Energy meeting?

(b) (6)

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>

Date:

Wed, 26 Jul 2017 10:11:49 -0400

Syl Lukis

 cid:image001.png@01D28
91B.B13DB7E0

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Re: Connecting

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

Date:

Tue, 01 Aug 2017 09:48:29 -0400

Stewart, Thanks for reaching out. My cell is (b) (6). I'll be in DC this evening. Leaving Friday.

Syl Lukis

 cid:image001.png@01D28
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On Aug 1, 2017, at 9:13 AM, Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov> wrote:

Good Morning Syl -

Could you please give me a call at your convenience re: your meeting request?

Thank you,

Stewart

Stewart B. Young
Intergovernmental Affairs and Public Engagement
The Office of the United States Trade Representative
Stewart.B.Young@USTR.eop.gov
(O) 202-395-2864

RE: APR Energy

From:

"Young, Stewart B. EOP/USTR" (b) (6)

To:

Sylvester Lukis <syl@ballardfl.com>

Date:

Tue, 08 Aug 2017 10:28:56 -0400

I'll check back now.

Thank you,

Stewart

From: Sylvester Lukis [mailto:syl@ballardfl.com]

Sent: Tuesday, August 8, 2017 9:18 AM

To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>

Subject: Re: APR Energy

Stewart,

I checked with John Campion and he's in court that day in Jacksonville. Sorry. Is it possible to do the meeting after Labor Day?

Thanks,

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

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On Aug 7, 2017, at 5:51 PM, Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov> wrote:

We would propose to meet on August 30 any time between noon and 3:00. Would that work?

It would be with AUSTR Daniel Bahar, AUSTR Barbara Weisel and myself.

From: Sylvester Lukis [mailto:syl@ballardfl.com]
Sent: Monday, August 7, 2017 10:28 AM
To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Subject: APR Energy

Hi Stewart,

Have you been able to schedule the meeting yet for Mr. Campion, Chairman of APR Energy? He called this weekend and is anxiously awaiting word so that he can get it on his calendar. He travels frequently. Sorry to make a pest of myself. Thank you.

Syl Lukis

 cid:image001.png@01D28
91B.B13DB7E0

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Re: Greetings

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

Cc:

Sara Pennington (b) (6) @ballardfl.com>, Shanna Crawley (b) (6) @ballardfl.com>, John Campion (b) (6) @aprenergy.com>, Harold Patricoff <hpatricoff@shutts.com>, Brian Ballard <ballard@ballardfl.com>

Date:

Thu, 17 Aug 2017 17:05:09 -0400

Thanks Stewart. The afternoon of the 12th would be great. The attendees will be John Campion, Harold "Ed" Patricoff, Brian Ballard and Sylvester Lukis.

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

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On Aug 17, 2017, at 12:27 PM, Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov> wrote:

Great timing.

Would either 9/12 or 9/13 work?

Open on timing.

-----Original Message-----

From: Sylvester Lukis [mailto:syl@ballardfl.com]

Sent: Thursday, August 17, 2017 10:55 AM

To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>

Subject: Greetings

Hi Stewart, hope you are well. Following up to see whether you have another date for Mr. Campion to meet. Let me know. Thank you again for your help with this. Syl Lukis

Sent from my iPhone

RE: Meeting wit APR Energy

From:

"Young, Stewart B. EOP/USTR" (b) (6)
[REDACTED]

To:

Sylvester Lukis <syl@ballardfl.com>

Cc:

"Gray, Alexander B. EOP/WHO" (b) (6) @who.eop.gov>

Date:

Tue, 22 Aug 2017 19:14:18 -0400

Syl – no link needed for our building.

Thanks.

From: Sylvester Lukis [mailto:syl@ballardfl.com]

Sent: Tuesday, August 22, 2017 4:55 PM

To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>

Cc: Gray, Alexander B. EOP/WHO (b) (6) @who.eop.gov>

Subject: RE: Meeting wit APR Energy

Stewart and Alex,

I have all of the attendees vitals. Could you please provide me with a link for the 2 pm meeting and a link for the 3 pm meeting, so I can go ahead and submit them?

I look forward to our meetings. Thank you for your assistance on this matter.

Syl Lukis

 BALLARD PARTNERS

Managing Partner

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From: Young, Stewart B. EOP/USTR [mailto:Stewart.B.Young@ustr.eop.gov]
Sent: Friday, August 18, 2017 2:13 PM
To: Sylvester Lukis <syl@ballardfl.com>
Cc: Gray, Alexander B. EOP/WHO <(b) (6)@who.eop.gov>
Subject: RE: Meeting wit APR Energy

3pm works.

We are the Winder Building – 600 17th Street NW.

From: Sylvester Lukis [mailto:syl@ballardfl.com]
Sent: Friday, August 18, 2017 10:55 AM
To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Cc: Gray, Alexander B. EOP/WHO <(b) (6)@who.eop.gov>
Subject: Re: Meeting wit APR Energy

Can we do you at 2pm and USTR at 3pm?

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

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On Aug 17, 2017, at 6:59 PM, Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov> wrote:

Sure, open to time.

Just let me know. Happy to coordinate Alex.

From: Sylvester Lukis [mailto:syl@ballardfl.com]
Sent: Thursday, August 17, 2017 5:09 PM
To: Gray, Alexander B. EOP/WHO <(b) (6)@who.eop.gov>
Cc: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Subject: Meeting wit APR Energy

Alex,

The meeting with the USTR office for APR Energy will be the afternoon of September 12.
Stewart is arranging the times. If possible, I would like to have John Campion and Ed Patricoff

meet with you and Peter that day. Can you please coordinate?

Thanks,

Syl Lukis

 cid:image001.png@01D28
91B.B13DB7E0

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[EXTERNAL] Talking Points: Solar Safeguard ITC Case

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Willems, Clete R. EOP/NSC" <(b) (6)@nsc.eop.gov>, "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>, ecomstock@doc.gov

Cc:

Brian Ballard <ballard@ballardfl.com>, "Gray, Alexander B. EOP/WHO" <(b) (6)@who.eop.gov>

Date:

Wed, 06 Dec 2017 12:03:56 -0500

Attachments:

Trade Case Info.docx (84.94 kB); Solar Trade Case Press_updated 12.5.17.docx (23.25 kB)

Gentlemen,

Our firm, Ballard Partners, represents Vivant Solar and SunRun in connection with their opposition to import tariffs and quota recommendations made by the International Trade Commission under Section 201 of the 1974 Trade Act. Rather than inundate you with reams of documents in support of our clients arguments, I have enclosed salient talking points on why protecting domestic solar panel manufacturers as the ITC recommends doesn't help American workers, it punishes them. I have also enclosed editorials from mainstream media in support of this position. The essential points made in the attachments are that the petitioners, Solar World and Suniva, are two foreign owned companies seeking to use American trade laws to harm over 260,000 installation, manufacturing, sales and project development jobs in the United States.

We would greatly appreciate an opportunity to meet with you at your earliest convenience to further discuss these cases. Thank you in advance for your consideration.

(1) Job numbers for solar industry

- There are 260,077 installation, manufacturing, sales, and project development jobs in the U.S. Residential solar makes up about one-third of total solar industry employment.
- Over 38,000 solar jobs are in manufacturing racking systems, inverters, and other equipment.
- At their *peak* of 2,000 jobs, SolarWorld and Suniva combined represented **only 5%** of the 38,121 solar manufacturing jobs in the U.S.
- There are more than 600 American solar manufacturing facilities in the U.S., making everything from inverters to racking systems, and this trade case would protect less than 1% of solar manufacturing companies.
- According to the Bureau of Labor Statistics biennial employment projections, solar PV installation is the fastest growing profession in the coming decade. Solar PV installation jobs that earn a median wage of \$39,240 are projected to increase by over 105% between 2016 and 2026.

Job numbers by key states:

State	2016 Solar Jobs	Year/Year Growth
FL	8,260	26%
GA	3,924	23%
MI	4,118	48%
NC	7,112	20%
OH	5,831	21%
PA	3,061	23%
TX	9,396	34%

(2) Import License Fee

The solution: An import license fee charged on imported solar cells and modules, with resultant revenue used to support investment in the domestic solar cell and module manufacturing industry. The amount of that license fee would be set low enough to keep other manufacturing and construction jobs growing – especially in the states where solar is growing on a voluntary basis.

- This approach minimizes construction and manufacturing job losses elsewhere in the industry.
- It provides direct capital injections to domestic manufacturers to help them stand on their own.
- It requires no taxpayer funds – all funding comes from fees charged to foreign importers.
- The Administration can determine how funds will be allocated to the domestic industry.

Here is how a remedy based upon an import license fee would work:

- Set a high quota on solar cell and module imports at a level *high enough to fully cover expected demand*, thus ensuring the Administration can plan for the amount of fees to be collected.
- Hold regular import license auctions with a set floor price (e.g., \$0.02/Watt) that declines over time. Based on current forecasts, total proceeds collected from auctions under the industry's proposal are estimated to be as much as \$833 million or more over the next 4 years.
- Deposit auction proceeds in an escrow account managed by a private entity, with subsequent distributions to domestic manufacturers at rates set by the Administration.
- Ensure equitable and impactful support for domestic solar cell and module manufacturers by distributing funds at a predetermined value per watt, based on a company's documented production of solar cells or modules.

(3) TPs on Suniva and SolarWorld (e.g., foreign ownership, poorly managed, very few jobs left (~200), 2,000 total jobs at max capacity)

- The United States solar industry -- representing a quarter million American jobs -- is under threat by two foreign-owned companies.
- ***Bankrupted by severe mismanagement***, Chinese-owned Suniva and German-owned SolarWorld are seeking a government bailout by pushing new job-killing tariffs on imported solar cells.
- SolarWorld's lead lender is Centerbridge, a hedge fund cofounded by Democratic super donor, Mark Gallogly.
- Suniva's major creditor, SQN Capital Management, demonstrated the extent to which this is purely self-serving when it said in writing that they were willing to drop the case for a bailout that repaid their failed loan.
- Suniva and SolarWorld's proposed tax is anti-competitive and would protect less than 1% of solar manufacturing companies in the U.S.

Editorials from Mainstream Media:

The Wall Street Journal: Editorial: Solar Power Death Wish, **September 15**

Solar tariffs would be another destructive exercise that benefits a handful of Suniva and SolarWorld investors at the expense of everyone else—including the rest of the solar industry. This is protectionism at its worst.

The Economist: Editorial, A protectionist trade ruling threatens America's solar industry, **September 22**

THE mere threat of protectionism has already slowed the advance of solar power in America. On September 22nd that threat became reality when America's International Trade Commission (ITC) ignored the concerns of large swathes of the solar industry and ruled that two of the country's solar-cell manufacturers had suffered serious injury as a result of imports, which primarily come from Asia. The unanimous 4:0 decision by the panel's commissioners will lead the ITC to recommend safeguarding measures, such as tariffs and/or quotas, to President Donald Trump. If the president endorses them, he could set back America's solar industry by several years—though he will not wipe it out, analysts say.

Bloomberg: Editorial, Tariffs on Solar Panels Would Kill U.S. Jobs, **October 12**

The U.S. solar industry is threatened by one of President Donald Trump's more destructive impulses: his eagerness to punish supposedly unfair trade practices.

By next month, the U.S. International Trade Commission, having unanimously ruled that American solar-panel makers are harmed by competition from Asian and other rivals, will recommend what tariffs or other import penalties the president should impose. The commission and the president need to understand that punishing Asian panel makers would do more than damage trade relations: It would also cripple the thriving U.S. solar-energy business.

The Wall Street Journal: Editorial, How to Kill American Solar, **October 29**

The solar power industry doesn't like our opposition to solar power subsidies, but these days we're on its side. We're among the few opposing tariffs on foreign solar panels that could severely damage American solar power.

LA Times: Editorial, Protecting solar panel manufacturers doesn't help American workers, it punishes them, **November 2**

President Trump has been the biggest advocate of protectionism to occupy the White House since Herbert Hoover, who signed a notorious tariff-raising law in 1930 that deepened the Great Depression. So far, though, the Trump administration has taken a limited, more conventional

approach to trade imbalances, using tariffs only to raise the cost of imported materials and products that were allegedly being dumped into United States at below-cost prices.

The Washington Post: Editorial, A case on imported solar cells will put Trump's promise on 'America first' to the test, **November 5**

PRESIDENT TRUMP has what might seem like an irresistible opportunity for a populist climate-change denier: to crack down on imports and harm the effort to combat climate change all at once. Yet even the briefest of looks shows that slapping tariffs on imported solar cells, as he has been urged to do, would harm far more Americans than it could possibly help. In other words, this is a precedent-setting test of whether reality can beat rhetoric in the White House. The implications are vast for the future of the internationally integrated U.S. economy.

Conservative Media:

The Daily Caller: Obama Mega Donor Financially Backed Solar Company Now Seeking Trade Tariffs, **December 4**

One of former President Barack Obama's wealthiest donors financially-backed a now-insolvent solar company seeking trade tariffs against foreign green energy products.

Mark Gallogly, a major Democratic donor and Wall Street insider, held significant voting shares in SolarWorld before the company became insolvent, according to documents obtained by The Daily Caller News Foundation. He was also one of Obama's "core crew" of Manhattan donors.

The Heritage Foundation: Report: U.S. Solar Energy Sector Threatened by Government Proposal to Jack Up Prices, **August 15**

The U.S. solar industry would benefit from more free-market policies, not fewer. The federal government has inappropriately subsidized solar technology with generous subsidies, grants, loan programs, and research and development. However, it makes even less sense to at once subsidize the solar industry while threatening its very existence with protectionist policies that block access to inexpensive materials. Rather, the solar industry should succeed or fail on its own merits, free from federal policies that threaten its competitiveness.

Fox News Host Sean Hannity: **Aired during October**

One of the fastest growing industries in America today is solar manufacturing. Homegrown American companies are now manufacturing solar equipment using American-made steel to support the more than 370,000 workers in the solar industry.

But some foreign-owned solar companies just can't wean themselves off government protection. You may remember Solyndra? Obama gave them money, and they went bankrupt, leaving the taxpayer with the bill. Now two other failed foreign solar companies – one owned by offshore

hedge funds, the other backed by a foreign royal family-- are attempting to manipulate our trade laws and are asking President.

Trump for a bailout by increasing the price of solar panels by government mandate.

Salem's Mike Gallagher interviews Tori Whiting from Heritage on solar trade case, **October 12**

R Street Institute, American Legislative Exchange Council, ALEC Action, Citizens for Responsible Energy Solutions Forum, Competitive Enterprise Institute, FreedomWorks, Mackinac Center for Public Policy, The James Madison Institute, National Taxpayers Union, Public Interest Institute: Open Letter to President Trump: Avoid Trade Restrictions on Solar Panels, **October 26**

Sen. Thom Tillis (R-NC) Explains To Salem's Michael Medved Why Tariffs Threaten Solar Growth, **November 2**

Brietbart: Americans for Limited Government President Rick Manning: Globalists Want Solar Tariffs When They Bailout Obama's Foreign Cronies, **November 9**

President Trump made a strong commitment to defend American companies but, in this case, the global financial interests behind two failed foreign companies are trying to get a bailout on their bad investment by manipulating U.S. trade laws for their benefit and hurting many successful American companies in the process. President Trump shouldn't be fooled by this three-card monte of foreign financial capital – the Germans, and Qataris, and offshore hedge funds are trying to pull one over on him. President Trump needs to back the factory workers of Ohio, Indiana, West Virginia, North Carolina and Alabama, and say no to tariff bailouts for foreign owned solar speculators.

Opinion Pieces in National Media:

The Hill, Opinion, Tariffs and protectionism are not the way to make America great again, **October 4**

Karla Jones is the director of the nonprofit American Legislative Exchange Council's Task Force on International Relations and Task Force on Federalism.

Last month the U.S. International Trade Commission (ITC) ruled in favor of a petition filed earlier this year under Section 201 of the Trade Act by solar panel manufacturers Suniva and SolarWorld. The filing alleged that the two bankrupt companies experienced serious injury due to overseas competition. Section 201 is a rarely used remedy for domestic industries seriously injured by or threatened with serious injury from increased imports. An ITC recommendation on

this case is expected by November 3 and is likely to include tariffs which, if the president agrees, could cost 88,000 American jobs and inhibit growth in America's solar industry.

Washington Post, Opinion, Cracking down on foreign-made solar panels would make U.S. less secure, **November 13**

Norman R. Seip, a retired U.S. Air Force lieutenant general, is the former commander of the 12th Air Force, where he had responsibility for 18,800 personnel and more than 200 aircraft.

President Trump has long vowed to make the U.S. military stronger than ever before. He now has an opportunity to do exactly that.

The U.S. International Trade Commission is proposing tariffs on imported solar energy panels for Trump to approve. That may be tempting for the president, who has put forth an "America First Energy Plan" and could see tariffs as a way to enact it. But it would be a grave mistake — one that would hurt our national security, cost veterans their jobs and increase power bills for everyday Americans.

State Media:

The News & Observer, North Carolina: NC Republicans rally to save state's solar industry, **August 16**

In the uncharacteristic show of support for solar power, the state's two Republican U.S. senators and eight GOP members of the U.S. House are urging the federal government to allow the flow of cheap imports of Chinese and Asian solar panels into the state. The dramatic price drop of solar panels in recent years fueled a boom in solar farm development in North Carolina, making solar power increasingly affordable for households, businesses and utility companies.

The Post & Courier, South Carolina: Opinion, Tariffs will hurt solar industry, **November 7**

The United States solar industry — representing roughly 374,000 domestic jobs — is currently under threat by two foreign-owned companies that manufacture in the U.S.

Bankrupt and majority Chinese-owned Suniva and German-owned SolarWorld are attempting to cash-in on a U.S. government bailout by obtaining new job-killing tariffs on imported solar cells and modules. President Trump is a staunch defender of American manufacturing. He shouldn't be fooled by this case. Foreign companies are trying to manipulate our trade laws by asking for tariffs, while American companies are united against tariffs.

[EXTERNAL] LG Electronics USA Inc

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>

Cc:

"Jack, Brian T. EOP/WHO" <(b) (6)@who.eop.gov>, "John I. Taylor" (b) (6)@lge.com>, Brian Ballard <ballard@ballardfl.com>

Date:

Thu, 14 Dec 2017 17:07:44 -0500

Stephen,

Brian Jack referred me to you. My partner, Brian Ballard and I would appreciate greatly an opportunity to meet with you at your earliest convenience to discuss the recent recommendation to the President by the ITC to impose significant tariffs on LG washers under Section 201 of the Trade Act of 1974. As you know, this Safeguard action was brought by Whirlpool against LG and Samsung. John Taylor, LG's Senior VP, will join us.

LG recently broke ground on a new manufacturing facility in Tennessee, which will employ several hundred American workers and which they believe ultimately will be capable of supplying its washer demand in North America. The ITC recommendation could delay these plans. The company does not believe that its washer imports is the cause of Whirlpool's issues and submits that the unreasonably harsh barriers recommended by the ITC would not fix those issues.

We look forward to seeing you.

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

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[EXTERNAL] Re: Meeting with GC Stephen Vaughn of USTR

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Turner, Amy C. EOP/USTR" <amy.c.turner@ustr.eop.gov>

Cc:

"Martyn, Will S. EOP/USTR" <willis_martyn@ustr.eop.gov>, "Schwartz, Juli C. EOP/USTR" <juli_c_schwartz@ustr.eop.gov>, "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

Date:

Fri, 15 Dec 2017 14:01:05 -0500

Didn't know that. Will would be great. Can you help arrange a time for the afternoon of the 19th? Thank you

Sent from my iPhone

> On Dec 15, 2017, at 12:37 PM, Turner, Amy C. EOP/USTR <Amy.C.Turner@ustr.eop.gov> wrote:

>

> Mr. Lukis,

>

> Stephen is actually recuse from solar. If you would like time with our office regarding that matter, I will direct you to Will Martyn, Stewart Young, and Juli Schwartz, who are cced here.

>

> Sincerely,

> Amy C. Turner

> Confidential Assistant to GC Stephen P. Vaughn

> Office of the General Counsel|USTR|EOP

> amy.c.turner@ustr.eop.gov

> Desk: (202) 395-7306

> Cell: (b) (6)

>

>

> -----Original Message-----

> From: Sylvester Lukis [mailto:syl@ballardfl.com]

> Sent: Friday, December 15, 2017 10:39 AM

> To: Turner, Amy C. EOP/USTR <Amy.C.Turner@ustr.eop.gov>

> Subject: [EXTERNAL] Re: Meeting with GC Stephen Vaughn of USTR

>

> Amy, Thanks for getting back to me so soon. Brian and I are available late Tuesday afternoon, the 19th. One change in the subject matter, however. Mr. Taylor of LG is not available next week. Therefore, instead of LG's issues with the ITC's recommendations re washers, we would use our time with Mr. Vaughn to discuss the ITC's recommendations re solar panels. We represent Vivant Solar and Sunrun, both of whom are against the safeguard recommendations. Alex McDonough of SunRun will be with us. Again thank you for your assistance. Syl Lukis

>

> Sent from my iPhone

>

>> On Dec 15, 2017, at 9:06 AM, Turner, Amy C. EOP/USTR <Amy.C.Turner@ustr.eop.gov> wrote:

>>

>> Good morning, Mr. Lukis,

>> Stephen Vaughn would be happy to arrange a meeting with Mr. Ballard, Mr. Taylor, and you regarding the ITC washers recommendation. We appreciate you reaching out to make the request.

>> Is there a certain time next Thursday, December 21st, which would work for the three of you? Mr. Vaughn has openings in the morning and afternoon that day. Otherwise, there are openings on both Tuesday and Wednesday of the same week (the 19th and 20th) in the late afternoon.

>> Let me know what works best for your office.

>> Best,

>> Amy C. Turner

>> Confidential Assistant to GC Stephen P. Vaughn

>> Office of the General Counsel|USTR|EOP

>> amy.c.turner@ustr.eop.gov

>> Desk: (202) 395-7306

>> Cell: (b) (6)

>>

>>

Re: [EXTERNAL] Re: Introduction to Brian Ballard

From:

jamieson.l.greer@ustr.eop.gov

To:

Brian Ballard <ballard@ballardfl.com>

Cc:

"Navarro, Peter K. EOP/WHO" <(b) (6)@who.eop.gov>

Date:

Wed, 14 Feb 2018 11:28:37 -0500

Brian, great to meet you. I will try to give you a ring later today.

Sent from my iPhone

On Feb 14, 2018, at 10:11 AM, Brian Ballard <ballard@ballardfl.com> wrote:

Thank you Peter. Jamieson nice to meet you. As Peter indicated we are involved in a trade related matter and would love a few minutes of your time to discuss. My cell is (b) (6). Very much appreciate your consideration.

Brian Ballard

On Feb 14, 2018, at 10:01 AM, Navarro, Peter K. EOP/WHO <(b) (6)@who.eop.gov> wrote:

Jamieson,

A short intro here to Brian Ballard. Our shop has worked constructively with Mr. Ballard on a number of trade-related issues and he has expressed an interest in a short meet with you.

I can provide more details on the phone if need be, but in the meantime, Jamieson meet Brian.

Peter Navarro, Director
Office of Trade & Manufacturing Policy
National Economic Council
(b) (6)

[EXTERNAL] Call with Brian Ballard, Syl Lukis and Jamieson Greer

Where:

(b) (6)

When:

Fri Feb 16 13:45:00 2018 (America/New_York)

Until:

Fri Feb 16 14:15:00 2018 (America/New_York)

Organiser:

Shanna Crawley (b) (6)@ballardfl.com>

Required Attendees:

Shanna Crawley <(b) (6)@ballardfl.com>

"Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>

"Visconti, Bridget F. EOP/USTR" <bridget.f.visconti@ustr.eop.gov>

Toll-free dial-in number (U.S. and Canada):

(b) (6)

International dial-in number:

(b) (6)

[EXTERNAL] Call with Brian Ballard, Syl Lukis and Jamieson Greer

Where:

(b) (6)

When:

Fri Feb 16 13:45:00 2018 (America/New_York)

Until:

Fri Feb 16 14:15:00 2018 (America/New_York)

Organiser:

Shanna Crawley (b) (6)@ballardfl.com>

Required Attendees:

"Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>

"Visconti, Bridget F. EOP/USTR" <bridget.f.visconti@ustr.eop.gov>

Toll-free dial-in number (U.S. and Canada):

(b) (6)

International dial-in number:

(b) (6)

RE: [EXTERNAL]

From:

Shanna Crawley (b) (6) @ballardfl.com>

To:

Brian Ballard <ballard@ballardfl.com>, "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>

Cc:

"Visconti, Bridget F. EOP/USTR" <bridget.f.visconti@ustr.eop.gov>

Date:

Thu, 15 Feb 2018 15:16:06 -0500

We can use the following Call-in#. I will send out a calendar invite with the same information.

Toll-free dial-in number (U.S. and Canada):

(b) (6)

International dial-in number:

(b) (6)

Shanna Kaye

BALLARD | PARTNERS

Shanna Kaye Crawley
Senior Executive Assistant
201 East Park Avenue, 5th Floor
Tallahassee, Florida 32301
850.577.0444
(b) (6) @ballardfl.com
>www.BallardPartners.com<
@BALLARDFIRM

Florida's top government relations firm, with offices in Tallahassee, Miami, Ft. Lauderdale, West Palm Beach, Orlando, Tampa, Jacksonville, and Washington D.C.

-----Original Message-----

From: Brian Ballard

Sent: Thursday, February 15, 2018 3:05 PM

To: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>

Cc: Visconti, Bridget F. EOP/USTR <Bridget.F.Visconti@ustr.eop.gov>; Shanna Crawley <(b) (6) @ballardfl.com>

Subject: Re: [EXTERNAL]

Thanks again. Talk tomorrow.

> On Feb 15, 2018, at 3:04 PM, Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov> wrote:

>

> Yes, that works. Thanks.

>

> -----Original Message-----

> From: Brian Ballard [mailto:ballard@ballardfl.com]
> Sent: Thursday, February 15, 2018 3:02 PM
> To: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>
> Cc: Visconti, Bridget F. EOP/USTR <Bridget.F.Visconti@ustr.eop.gov>; Shanna Crawley (b) (6) @ballardfl.com>
> Subject: Re: [EXTERNAL]
>
> Perfect. May I send you a call in number?
>
>> On Feb 15, 2018, at 3:01 PM, Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov> wrote:
>>
>> Yes, I have a window in the early afternoon. Can 1:45 work for you?
>>
>> Jamieson
>>
>> -----Original Message-----
>> From: Brian Ballard [mailto:ballard@ballardfl.com]
>> Sent: Thursday, February 15, 2018 2:46 PM
>> To: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>
>> Subject: [EXTERNAL]
>>
>> Good afternoon Jamieson. Would it be possible to schedule a quick call with you sometime Friday? I'd like to have my Partner Syl Lukis join. We can be available at your convenience
>>
>> Thank you for your consideration.
>>
>> Brian Ballard

[EXTERNAL] Call with Brian Ballard, Syl Lukis and Jamieson Greer

Where:

(b) (6)

When:

Fri Feb 16 13:45:00 2018 (America/New_York)

Until:

Fri Feb 16 14:15:00 2018 (America/New_York)

Organiser:

Shanna Crawley (b) (6)@ballardfl.com>

Required Attendee:

"Visconti, Bridget F. EOP/USTR" <bridget.f.visconti@ustr.eop.gov>

Toll-free dial-in number (U.S. and Canada):

(b) (6)

International dial-in number:

(b) (6)

RE: Solar 201

From:

"Martyn, Will S. EOP/USTR" <willis_martyn@ustr.eop.gov>

To:

Brian Ballard <ballard@ballardfl.com>

Cc:

"Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>, "Walters, Gregory M. EOP/USTR" <gregory.m.walters@ustr.eop.gov>, Shanna Crawley <(b) (6)@ballardfl.com>, Sylvester Lukis <syl@ballardfl.com>

Date:

Fri, 16 Feb 2018 15:45:30 -0500

I will check with my colleagues.

From: Brian Ballard [mailto:ballard@ballardfl.com]

Sent: Friday, February 16, 2018 3:39 PM

To: Martyn, Will S. EOP/USTR <Willis_Martyn@ustr.eop.gov>

Cc: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Walters, Gregory M. EOP/USTR <Gregory.M.Walters@ustr.eop.gov>; Shanna Crawley <(b) (6)@ballardfl.com>; Sylvester Lukis <syl@ballardfl.com>

Subject: [EXTERNAL] Re: Solar 201

How does 1pm next Thursday sound. We can set up a call in number.

On Feb 16, 2018, at 3:00 PM, Martyn, Will S. EOP/USTR <Willis_Martyn@ustr.eop.gov> wrote:

Brian:

My schedule is currently open on Thursday.

- Will

From: Brian Ballard [mailto:ballard@ballardfl.com]

Sent: Friday, February 16, 2018 2:56 PM

To: Martyn, Will S. EOP/USTR <Willis_Martyn@ustr.eop.gov>

Cc: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>; Walters, Gregory M. EOP/USTR <Gregory.M.Walters@ustr.eop.gov>; Shanna Crawley <(b) (6)@ballardfl.com>; Sylvester Lukis <syl@ballardfl.com>

Subject: [EXTERNAL] Re: Solar 201

Thanks Will. I appreciate your quick reply. What time works for you Thursday ?

Brian

On Feb 16, 2018, at 2:12 PM, Martyn, Will S. EOP/USTR <Willis_Martyn@ustr.eop.gov> wrote:

Brian:

I'm not available Tuesday or Wednesday. I can talk this afternoon, or on Thursday or Friday.

- Will

From: Brian Ballard [<mailto:ballard@ballardfl.com>]
Sent: Friday, February 16, 2018 2:11 PM
To: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>
Cc: Walters, Gregory M. EOP/USTR <Gregory.M.Walters@ustr.eop.gov>; Martyn, Will S. EOP/USTR <Willis_Martyn@ustr.eop.gov>; Shanna Crawley (b) (6) @ballardfl.com>; Sylvester Lukis <syl@ballardfl.com>
Subject: [EXTERNAL] Re: Solar 201

Thank you Jamieson. Gentlemen nice to meet you. My partner Syl Lukis and I would like to discuss the 201 solar matter at your convenience. If possible we would like to schedule a conference with you as early as next week. Thank you in advance for your consideration.

Again Jamieson, I greatly appreciate your introduction.

All the best.

Brian Ballard

On Feb 16, 2018, at 1:56 PM, Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov> wrote:

Brian,

As I explained, I am recused from decision-making process for the Solar 201 matter. Please let me introduce to you Greg Walters, our Assistant USTR for Public Engagement, and Will Martyn, our chief counsel on the matter. They can help you with any questions or issues regarding the Solar 201 matter and potential exclusions or exceptions.

Best,
Jamieson

JAMIESON L. GREER
Chief of Staff
Office of the U.S. Trade Representative
Executive Office of the President
O: 202.395.9648
M: (b) (6)

Accepted: Call with Brian Ballard, Syl Lukis and Jamieson Greer

Where:

(b) (6)

When:

Fri Feb 16 13:45:00 2018 (America/New_York)

Until:

Fri Feb 16 14:15:00 2018 (America/New_York)

Organiser:

Required Attendee:

Optional Attendee:

Re: [EXTERNAL] Conference Call

From:

willis_martyn@ustr.eop.gov

To:

Sylvester Lukis <syl@ballardfl.com>

Cc:

Brian Ballard <ballard@ballardfl.com>, Shanna Crawley (b) (6) @ballardfl.com, "Walters, Gregory M. EOP/USTR" <gregory.m.walters@ustr.eop.gov>

Date:

Thu, 22 Feb 2018 09:26:25 -0500

Syl:

Can we reschedule for later in the afternoon, in the 3-5 range?

- Will

Sent from my iPhone

On Feb 22, 2018, at 9:13 AM, Sylvester Lukis <syl@ballardfl.com> wrote:

Hi Will,

Hope you are well. I have a hold on my calendar today re a conference call with you and Greg Walters at 1 p.m. Are you and Greg still available at that time to discuss a potential tariff exemption for REC's solar panels coming into the U.S. from Singapore? I can have Shanna Kaye send a call in number.

Thank you,

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

Managing Partner
Washington, DC
Ballard Partners
M: (b) (6)
syl@ballardfl.com

DC Office
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623

Miami Office
2 Alhambra Plaza Suite 102
Coral Gables, FL 33134
P: 305.456.8479
F: 786.542.6997

[EXTERNAL] Call with Brian Ballard, Syl Lukis, Will Martyn and Gregory Walters with USTR

Where:

(b) (6)

When:

Thu Feb 22 16:30:00 2018 (America/New_York)

Until:

Thu Feb 22 17:00:00 2018 (America/New_York)

Organiser:

Shanna Crawley <(b) (6)@ballardfl.com>

Required Attendees:

"Martyn, Will S. EOP/USTR" <willis_martyn@ustr.eop.gov>

"Walters, Gregory M. EOP/USTR" <gregory.m.walters@ustr.eop.gov>

Sylvester Lukis <syl@ballardfl.com>

New Call-In #.

[EXTERNAL] Call with Brian Ballard, Syl Lukis, Will Martyn and Gregory Walters with USTR

Where:

(b) (6)

When:

Thu Feb 22 16:30:00 2018 (America/New_York)

Until:

Thu Feb 22 17:00:00 2018 (America/New_York)

Organiser:

Shanna Crawley (b) (6) @ballardfl.com>

Required Attendees:

Shanna Crawley (b) (6) @ballardfl.com>

"Martyn, Will S. EOP/USTR" <willis_martyn@ustr.eop.gov>

"Walters, Gregory M. EOP/USTR" <gregory.m.walters@ustr.eop.gov>

Sylvester Lukis <syl@ballardfl.com>

New Call-In #.

Accepted: [EXTERNAL] Call with Brian Ballard, Syl Lukis, Will Martyn and Gregory Walters with USTR

Where:

(b) (6)

When:

Thu Feb 22 16:30:00 2018 (America/New_York)

Until:

Thu Feb 22 17:00:00 2018 (America/New_York)

Organiser:

Required Attendee:

Optional Attendee:

[EXTERNAL] RE: Conference Call

From:

Shanna Crawley (b) (6) @ballardfl.com>

To:

Sylvester Lukis <syl@ballardfl.com>, "Martyn, Will S. EOP/USTR" <willis_martyn@ustr.eop.gov>

Cc:

"Walters, Gregory M. EOP/USTR" <gregory.m.walters@ustr.eop.gov>

Date:

Thu, 22 Feb 2018 16:21:13 -0500

I apologize for the inconvenience but please use the below # for the 4:30 PM call today.

(b) (6)

Sincerely,

Shanna Kaye

From: Sylvester Lukis

Sent: Thursday, February 22, 2018 9:10 AM

To: Will S. EOP/USTR Martyn <Willis_Martyn@ustr.eop.gov>

Cc: Brian Ballard <ballard@ballardfl.com>; Shanna Crawley (b) (6) @ballardfl.com>; gregory.m.walters@ustr.eop.gov

Subject: Conference Call

Hi Will,

Hope you are well. I have a hold on my calendar today re a conference call with you and Greg Walters at 1 p.m. Are you and Greg still available at that time to discuss a potential tariff exemption for REC's solar panels coming into the U.S. from Singapore? I can have Shanna Kaye send a call in number.

Thank you,

Syl Lukis

 cid:image001.png@01D2891B.B13DB7E0

Managing Partner

Washington, DC

Ballard Partners

M (b) (6)

syl@ballardfl.com

DC Office

601 Thirteenth St, NW, Suite #450 N

Washington, DC 20005

P: 202.800.5620

F: 202.800.5623

Miami Office

2 Alhambra Plaza Suite 102

Coral Gables, FL 33134

P: 305.456.8479

F: 786.542.6997

[EXTERNAL] Call with Brian Ballard, Syl Lukis, Will Martyn and Gregory Walters with USTR

Where:

(b) (6)

When:

Thu Feb 22 16:30:00 2018 (America/New_York)

Until:

Thu Feb 22 17:00:00 2018 (America/New_York)

Organiser:

Shanna Crawley (b) (6) @ballardfl.com>

Required Attendees:

"Martyn, Will S. EOP/USTR" <willis_martyn@ustr.eop.gov>

"Walters, Gregory M. EOP/USTR" <gregory.m.walters@ustr.eop.gov>

Sylvester Lukis <syl@ballardfl.com>

[EXTERNAL] Call with Brian Ballard, Syl Lukis, Will Martyn and Gregory Walters with USTR

Where:

(b) (6)

When:

Thu Feb 22 16:30:00 2018 (America/New_York)

Until:

Thu Feb 22 17:00:00 2018 (America/New_York)

Organiser:

Shanna Crawley (b) (6) @ballardfl.com>

Required Attendees:

Shanna Crawley (b) (6) @ballardfl.com>

"Martyn, Will S. EOP/USTR" <willis_martyn@ustr.eop.gov>

"Walters, Gregory M. EOP/USTR" <gregory.m.walters@ustr.eop.gov>

Sylvester Lukis <syl@ballardfl.com>

Tentative: Call with Brian Ballard, Syl Lukis, Will Martyn and Gregory Walters with USTR

Where:

(b) (6)

When:

Thu Feb 22 16:30:00 2018 (America/New_York)

Until:

Thu Feb 22 17:00:00 2018 (America/New_York)

Organiser:

Required Attendee:

Optional Attendee:

[EXTERNAL] Re: Greetings

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>

Cc:

Robert Wexler (b) (6) @ballardfl.com>, Brian Ballard <ballard@ballardfl.com>, Hannah Walters (b) (6) @ballardfl.com>

Date:

Tue, 20 Mar 2018 09:24:11 -0400

Abby, I hope you are well. My firm Ballard Partners represents the government of Turkey. My partners former Florida Congressman Robert Wexler, Brian Ballard and I have been asked by Turkey's U.S. Ambassador Serder Kilic to assist him in arranging a meeting with Ambassador Lighthizer to discuss aluminum and steel tariffs. Could you please assist me with this effort? Ambassador Kilic is willing to meet at Ambassador Lighthizer's earliest convenience. Thank you in advance for your help. Syl Lukis

Sent from my iPhone

> On Jun 6, 2017, at 4:50 PM, Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov> wrote:

>

> My COS is on travel with the boss but I will check and get back to you ASAP .

>

> -----Original Message-----

> From: Sylvester Lukis [mailto:syl@ballardfl.com]

> Sent: Tuesday, June 6, 2017 4:48 PM

> To: Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov>

> Subject: Re: Greetings

>

> Thanks Abby. Can your Chief of Staff meet with the Mosaic guys? They are big in FL and close to Governor Scott. It would be very much appreciated. Or Payne? Syl

>

> Sent from my iPhone

>

>> On Jun 6, 2017, at 4:11 PM, Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov> wrote:

>>

>> Mr. Lukis--

>>

>> The Ambassador is unable to meet on 6/21.

>>

>> Thank you,

>> Abby

>>

>>

>> Abigail Bacak

>> Director of Scheduling and Advance

>> The Office of the United States Trade Representative

>> Executive Office of the President

>> Abigail.R.Bacak@ustr.eop.gov

>> (O) 202-395-9503 (b) (6)

>>

>>

>>

>>

>> -----Original Message-----

>> From: Griffin, Payne P. EOP/USTR

>> Sent: Tuesday, June 6, 2017 7:51 AM

>> To: Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov>

>> Subject: FW: Greetings

>>
>>
>>
>>
>>
>> From: Sylvester Lukis [mailto:syl@ballardfl.com]
>> Sent: Tuesday, June 6, 2017 6:30 AM
>> To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
>> Cc: Gray, Alexander B. EOP/WHO <(b) (6)@who.eop.gov>; Brian Ballard <ballard@ballardfl.com>
>> Subject: Re: Greetings
>>
>>
>>

>> Thanks Payne. Before or after our 11am with Alex and Peter would be ideal. Syl

>> Sent from my iPhone
>>
>>

>> On Jun 5, 2017, at 5:11 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov
>> <mailto:Garrison.P.Griffin@ustr.eop.gov> > wrote:

>> Thank you Syl. I have copied the Ambassador's scheduler, Abby Bacak.
>>
>>
>>
>>
>>

>> G. Payne Griffin

>> Deputy Chief of Staff

>> The Office of the United States Trade Representative

>> Executive Office of the President
>>

>> Garrison.P.Griffin@USTR.eop.gov <mailto:Garrison.P.Griffin@USTR.eop.gov>

>> (O) 202-395-5869 (C) (b) (6)
>>
>>
>>
>>
>>
>>
>>
>>
>>
>>

>> From: Sylvester Lukis [mailto:syl@ballardfl.com]

>> Sent: Monday, June 5, 2017 4:17 PM

>> To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov <mailto:Garrison.P.Griffin@ustr.eop.gov> >

>> Cc: Gray, Alexander B. EOP/WHO <(b) (6)@who.eop.gov <mailto:(b) (6)@who.eop.gov> >; Brian
Ballard <ballard@ballardfl.com <mailto:ballard@ballardfl.com> >

>> Subject: Greetings
>>
>>
>>

>> Garrison,
>>
>>
>>

>> Alex Gray referred me to you. I hope you are doing well. Our firm, Ballard Partners, is a Florida based firm with offices in DC. We represent the Mosaic Company, which is a multinational mining company in the agriculture nutrient business, such as phosphates, with significant holdings in Florida. Joc O'Reilly, the company's CEO and his colleague, Walt Precourt, a Senior Vice President for phosphate production, will be in DC the morning of June 21. They have a meeting scheduled with Alex and Peter Navarro that morning at 11:00 a.m. and we're hoping to get on Ambassador Lighthizer's calendar as well the morning of June 21. There are some International Trade issues they would like to discuss regarding Moroccan phosphate production but the meeting primarily would be a meet and greet and shouldn't take more than a half hour.
>>
>>
>>

>> Thank you in advance for your assistance. I look forward to hearing from you.

>>
>> Syl Lukis
>>
>>
>>
>> Managing Partner
>>
>> Washington, DC <x-apple-data-detectors://0/0>
>>
>> Ballard Partners
>>
>> M: (b) (6)
>>
>> syl@ballardfl.com <mailto:syl@ballardfl.com>
>>
>>
>>
>> DC Office
>>
>> 601 Thirteenth St, NW, Suite #200 N <x-apple-data-detectors://1/1>
>> Washington <x-apple-data-detectors://1/1> , DC 20005
>> P: 202.800.5620 <tel:202.800.5620>
>> F: 202.800.5623 <tel:202.800.5623>
>>
>>
>>
>> Miami Office
>>
>> 2 Alhambra Plaza Suite 102 <x-apple-data-detectors://2/1>
>>
>> Coral Gables, FL 33134 <x-apple-data-detectors://2/1>
>>
>> P: 305.456.8479 <tel:305.456.8479>
>>
>> F: 786.542.6997 <tel:786.542.6997>
>>
>>
>>

[EXTERNAL] Republic of Turkey

From:

Brian Ballard <ballard@ballardfl.com>

To:

"Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>

Date:

Tue, 20 Mar 2018 12:32:34 -0400

Dear Payne,

I appreciate you taking the time to visit with me earlier today. As we discussed, we respectfully request your assistance in helping facilitate a meeting between Turkish Ambassador to the US, Sedar Kalic and Ambassador Lighthizer regarding Section 232 measures concerning steel and aluminum.

In 2017, the US enjoyed an overall trade surplus with Turkey in excess of 3.5 billion. The cumulative US trade surplus with Turkey over the past 10 years exceeds 67 billion. Ambassador Kalic hopes to discuss ways to avoid an unhelpful application of Section 232 measures and a deterioration of bilateral US-Turkey relations.

I very much appreciate your kind assistance in this regard.

Sincerely,

Brian Ballard

[EXTERNAL] Talking Points: Solar Safeguard ITC Case

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Willems, Clete R. EOP/NSC" (b) (6)@nsc.eop.gov, "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>, (b) (6)@doc.gov

Cc:

Brian Ballard <ballard@ballardfl.com>, "Gray, Alexander B. EOP/WHO" (b) (6)@who.eop.gov

Date:

Wed, 06 Dec 2017 12:03:56 -0500

Attachments:

Trade Case Info.docx (84.94 kB); Solar Trade Case Press_updated 12.5.17.docx (23.25 kB)

Gentlemen,

Our firm, Ballard Partners, represents Vivant Solar and SunRun in connection with their opposition to import tariffs and quota recommendations made by the International Trade Commission under Section 201 of the 1974 Trade Act. Rather than inundate you with reams of documents in support of our clients arguments, I have enclosed salient talking points on why protecting domestic solar panel manufacturers as the ITC recommends doesn't help American workers, it punishes them. I have also enclosed editorials from mainstream media in support of this position. The essential points made in the attachments are that the petitioners, Solar World and Suniva, are two foreign owned companies seeking to use American trade laws to harm over 260,000 installation, manufacturing, sales and project development jobs in the United States.

We would greatly appreciate an opportunity to meet with you at your earliest convenience to further discuss these cases. Thank you in advance for your consideration.

Editorials from Mainstream Media:

The Wall Street Journal: Editorial: Solar Power Death Wish, **September 15**

Solar tariffs would be another destructive exercise that benefits a handful of Suniva and SolarWorld investors at the expense of everyone else—including the rest of the solar industry. This is protectionism at its worst.

The Economist: Editorial, A protectionist trade ruling threatens America's solar industry, **September 22**

THE mere threat of protectionism has already slowed the advance of solar power in America. On September 22nd that threat became reality when America's International Trade Commission (ITC) ignored the concerns of large swathes of the solar industry and ruled that two of the country's solar-cell manufacturers had suffered serious injury as a result of imports, which primarily come from Asia. The unanimous 4:0 decision by the panel's commissioners will lead the ITC to recommend safeguarding measures, such as tariffs and/or quotas, to President Donald Trump. If the president endorses them, he could set back America's solar industry by several years—though he will not wipe it out, analysts say.

Bloomberg: Editorial, Tariffs on Solar Panels Would Kill U.S. Jobs, **October 12**

The U.S. solar industry is threatened by one of President Donald Trump's more destructive impulses: his eagerness to punish supposedly unfair trade practices.

By next month, the U.S. International Trade Commission, having unanimously ruled that American solar-panel makers are harmed by competition from Asian and other rivals, will recommend what tariffs or other import penalties the president should impose. The commission and the president need to understand that punishing Asian panel makers would do more than damage trade relations: It would also cripple the thriving U.S. solar-energy business.

The Wall Street Journal: Editorial, How to Kill American Solar, **October 29**

The solar power industry doesn't like our opposition to solar power subsidies, but these days we're on its side. We're among the few opposing tariffs on foreign solar panels that could severely damage American solar power.

LA Times: Editorial, Protecting solar panel manufacturers doesn't help American workers, it punishes them, **November 2**

President Trump has been the biggest advocate of protectionism to occupy the White House since Herbert Hoover, who signed a notorious tariff-raising law in 1930 that deepened the Great Depression. So far, though, the Trump administration has taken a limited, more conventional

approach to trade imbalances, using tariffs only to raise the cost of imported materials and products that were allegedly being dumped into United States at below-cost prices.

The Washington Post: Editorial, A case on imported solar cells will put Trump's promise on 'America first' to the test, **November 5**

PRESIDENT TRUMP has what might seem like an irresistible opportunity for a populist climate-change denier: to crack down on imports and harm the effort to combat climate change all at once. Yet even the briefest of looks shows that slapping tariffs on imported solar cells, as he has been urged to do, would harm far more Americans than it could possibly help. In other words, this is a precedent-setting test of whether reality can beat rhetoric in the White House. The implications are vast for the future of the internationally integrated U.S. economy.

Conservative Media:

The Daily Caller: Obama Mega Donor Financially Backed Solar Company Now Seeking Trade Tariffs, **December 4**

One of former President Barack Obama's wealthiest donors financially-backed a now-insolvent solar company seeking trade tariffs against foreign green energy products.

Mark Gallogly, a major Democratic donor and Wall Street insider, held significant voting shares in SolarWorld before the company became insolvent, according to documents obtained by The Daily Caller News Foundation. He was also one of Obama's "core crew" of Manhattan donors.

The Heritage Foundation: Report: U.S. Solar Energy Sector Threatened by Government Proposal to Jack Up Prices, **August 15**

The U.S. solar industry would benefit from more free-market policies, not fewer. The federal government has inappropriately subsidized solar technology with generous subsidies, grants, loan programs, and research and development. However, it makes even less sense to at once subsidize the solar industry while threatening its very existence with protectionist policies that block access to inexpensive materials. Rather, the solar industry should succeed or fail on its own merits, free from federal policies that threaten its competitiveness.

Fox News Host Sean Hannity: **Aired during October**

One of the fastest growing industries in America today is solar manufacturing. Homegrown American companies are now manufacturing solar equipment using American-made steel to support the more than 370,000 workers in the solar industry.

But some foreign-owned solar companies just can't wean themselves off government protection. You may remember Solyndra? Obama gave them money, and they went bankrupt, leaving the taxpayer with the bill. Now two other failed foreign solar companies – one owned by offshore

hedge funds, the other backed by a foreign royal family-- are attempting to manipulate our trade laws and are asking President.

Trump for a bailout by increasing the price of solar panels by government mandate.

Salem's Mike Gallagher interviews Tori Whiting from Heritage on solar trade case, **October 12**

R Street Institute, American Legislative Exchange Council, ALEC Action, Citizens for Responsible Energy Solutions Forum, Competitive Enterprise Institute, FreedomWorks, Mackinac Center for Public Policy, The James Madison Institute, National Taxpayers Union, Public Interest Institute: Open Letter to President Trump: Avoid Trade Restrictions on Solar Panels, **October 26**

Sen. Thom Tillis (R-NC) Explains To Salem's Michael Medved Why Tariffs Threaten Solar Growth, **November 2**

Brietbart: Americans for Limited Government President Rick Manning: Globalists Want Solar Tariffs When They Bailout Obama's Foreign Cronies, **November 9**

President Trump made a strong commitment to defend American companies but, in this case, the global financial interests behind two failed foreign companies are trying to get a bailout on their bad investment by manipulating U.S. trade laws for their benefit and hurting many successful American companies in the process. President Trump shouldn't be fooled by this three-card monte of foreign financial capital – the Germans, and Qataris, and offshore hedge funds are trying to pull one over on him. President Trump needs to back the factory workers of Ohio, Indiana, West Virginia, North Carolina and Alabama, and say no to tariff bailouts for foreign owned solar speculators.

Opinion Pieces in National Media:

The Hill, Opinion, Tariffs and protectionism are not the way to make America great again, **October 4**

Karla Jones is the director of the nonprofit American Legislative Exchange Council's Task Force on International Relations and Task Force on Federalism.

Last month the U.S. International Trade Commission (ITC) ruled in favor of a petition filed earlier this year under Section 201 of the Trade Act by solar panel manufacturers Suniva and SolarWorld. The filing alleged that the two bankrupt companies experienced serious injury due to overseas competition. Section 201 is a rarely used remedy for domestic industries seriously injured by or threatened with serious injury from increased imports. An ITC recommendation on

this case is expected by November 3 and is likely to include tariffs which, if the president agrees, could cost 88,000 American jobs and inhibit growth in America's solar industry.

Washington Post: Opinion, Cracking down on foreign-made solar panels would make U.S. less secure, **November 13**

Norman R. Seip, a retired U.S. Air Force lieutenant general, is the former commander of the 12th Air Force, where he had responsibility for 18,800 personnel and more than 200 aircraft.

President Trump has long vowed to make the U.S. military stronger than ever before. He now has an opportunity to do exactly that.

The U.S. International Trade Commission is proposing tariffs on imported solar energy panels for Trump to approve. That may be tempting for the president, who has put forth an "America First Energy Plan" and could see tariffs as a way to enact it. But it would be a grave mistake — one that would hurt our national security, cost veterans their jobs and increase power bills for everyday Americans.

State Media:

The News & Observer, North Carolina: NC Republicans rally to save state's solar industry, **August 16**

In the uncharacteristic show of support for solar power, the state's two Republican U.S. senators and eight GOP members of the U.S. House are urging the federal government to allow the flow of cheap imports of Chinese and Asian solar panels into the state. The dramatic price drop of solar panels in recent years fueled a boom in solar farm development in North Carolina, making solar power increasingly affordable for households, businesses and utility companies.

The Post & Courier, South Carolina: Opinion, Tariffs will hurt solar industry, **November 7**

The United States solar industry — representing roughly 374,000 domestic jobs — is currently under threat by two foreign-owned companies that manufacture in the U.S.

Bankrupt and majority Chinese-owned Suniva and German-owned SolarWorld are attempting to cash-in on a U.S. government bailout by obtaining new job-killing tariffs on imported solar cells and modules. President Trump is a staunch defender of American manufacturing. He shouldn't be fooled by this case. Foreign companies are trying to manipulate our trade laws by asking for tariffs, while American companies are united against tariffs.

(1) Job numbers for solar industry

- There are 260,077 installation, manufacturing, sales, and project development jobs in the U.S. Residential solar makes up about one-third of total solar industry employment.
- Over 38,000 solar jobs are in manufacturing racking systems, inverters, and other equipment.
- At their *peak* of 2,000 jobs, SolarWorld and Suniva combined represented *only 5%* of the 38,121 solar manufacturing jobs in the U.S.
- There are more than 600 American solar manufacturing facilities in the U.S., making everything from inverters to racking systems, and this trade case would protect less than 1% of solar manufacturing companies.
- According to the Bureau of Labor Statistics biennial employment projections, solar PV installation is the fastest growing profession in the coming decade. Solar PV installation jobs that earn a median wage of \$39,240 are projected to increase by over 105% between 2016 and 2026.

Job numbers by key states:

State	2016 Solar Jobs	Year/Year Growth
FL	8,260	26%
GA	3,924	23%
MI	4,118	48%
NC	7,112	20%
OH	5,831	21%
PA	3,061	23%
TX	9,396	34%

(2) Import License Fee

The solution: An import license fee charged on imported solar cells and modules, with resultant revenue used to support investment in the domestic solar cell and module manufacturing industry. The amount of that license fee would be set low enough to keep other manufacturing and construction jobs growing – especially in the states where solar is growing on a voluntary basis.

- This approach minimizes construction and manufacturing job losses elsewhere in the industry.
- It provides direct capital injections to domestic manufacturers to help them stand on their own.
- It requires no taxpayer funds – all funding comes from fees charged to foreign importers.
- The Administration can determine how funds will be allocated to the domestic industry.

Here is how a remedy based upon an import license fee would work:

- Set a high quota on solar cell and module imports at a level *high enough to fully cover expected demand*, thus ensuring the Administration can plan for the amount of fees to be collected.
- Hold regular import license auctions with a set floor price (e.g., \$0.02/Watt) that declines over time. Based on current forecasts, total proceeds collected from auctions under the industry's proposal are estimated to be as much as \$833 million or more over the next 4 years.
- Deposit auction proceeds in an escrow account managed by a private entity, with subsequent distributions to domestic manufacturers at rates set by the Administration.
- Ensure equitable and impactful support for domestic solar cell and module manufacturers by distributing funds at a predetermined value per watt, based on a company's documented production of solar cells or modules.

(3) TPs on Suniva and SolarWorld (e.g., foreign ownership, poorly managed, very few jobs left (~200), 2,000 total jobs at max capacity)

- The United States solar industry -- representing [a quarter million American jobs](#) -- is under threat by two foreign-owned companies.
- *Bankrupted by severe mismanagement*, Chinese-owned Suniva and German-owned SolarWorld are seeking a government bailout by pushing new job-killing tariffs on imported solar cells.
- SolarWorld's lead lender is Centerbridge, a hedge fund cofounded by Democratic super donor, Mark Gallogly.
- Suniva's major creditor, SQN Capital Management, demonstrated the extent to which this is purely self-serving when it said [in writing](#) that they were willing to drop the case for a bailout that repaid their failed loan.
- Suniva and SolarWorld's proposed tax is anti-competitive and would protect less than 1% of solar manufacturing companies in the U.S.

[EXTERNAL] LG Electronics USA Inc

From:

Sylvester Lukis <syl@ballardfl.com>

To:

"Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>

Cc:

"Jack, Brian T. EOP/WHO" (b) (6) @who.eop.gov, "John I. Taylor" (b) (6) @lge.com, Brian Ballard <ballard@ballardfl.com>

Date:

Thu, 14 Dec 2017 17:07:44 -0500

Stephen,

Brian Jack referred me to you. My partner, Brian Ballard and I would appreciate greatly an opportunity to meet with you at your earliest convenience to discuss the recent recommendation to the President by the ITC to impose significant tariffs on LG washers under Section 201 of the Trade Act of 1974. As you know, this Safeguard action was brought by Whirlpool against LG and Samsung. John Taylor, LG's Senior VP, will join us.

LG recently broke ground on a new manufacturing facility in Tennessee, which will employ several hundred American workers and which they believe ultimately will be capable of supplying its washer demand in North America. The ITC recommendation could delay these plans. The company does not believe that its washer imports is the cause of Whirlpool's issues and submits that the unreasonably harsh barriers recommended by the ITC would not fix those issues.

We look forward to seeing you.

Syl Lukis

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RE: [EXTERNAL] LG Electronics USA Inc

From:

"Turner, Amy C. EOP/USTR" <amy.c.turner@ustr.eop.gov>

To:

"Vaughn, Stephen P. EOP/USTR" <stephen.p.vaughn@ustr.eop.gov>

Date:

Fri, 15 Dec 2017 09:08:54 -0500

I reached out to him

From: Vaughn, Stephen P. EOP/USTR

Sent: Thursday, December 14, 2017 5:41 PM

To: Turner, Amy C. EOP/USTR <Amy.C.Turner@ustr.eop.gov>

Subject: Fwd: [EXTERNAL] LG Electronics USA Inc

Please set this up.

Begin forwarded message:

From: Sylvester Lukis <syl@ballardfl.com>

Date: December 14, 2017 at 5:07:44 PM EST

To: "Stephen.P.Vaughn@ustr.eop.gov" <Stephen.P.Vaughn@ustr.eop.gov>

Cc: (b) (6) @who.eop.gov" <(b) (6) @who.eop.gov>, "John I. Taylor" (b) (6) @lge.com>, Brian Ballard <ballard@ballardfl.com>

Subject: [EXTERNAL] LG Electronics USA Inc

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We look forward to seeing you.

Syl Lukis

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